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OFFICE OF PETITIONS

In re Application of	:	
Chaddock et al.	:	
Application No. 10/070764	:	DECISION
Filing or 371(c) Date: 03/12/2002	:	ON PETITION
Patent No.: 7193066	:	
Issue Date: 03/20/2007	:	
Attorney Docket Number:	:	
1581.0900000/RWE/MTT	:	

This is a decision on the correspondence entitled "Request for Certificate of Correction Under 37 CFR 1.323," filed November 7, 2007, to correct the name of the assignee on the front page of the above-identified patent by way of a Certificate of Correction. The request is properly treated as a petition under 37 CFR 3.81(b)¹.

The Petition is **dismissed**.

Any further petition to revive the above-identified application must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Request for Reconsideration of Petition under [insert the applicable code section]". This is **not** final agency action within the meaning of 5 U.S.C. § 704.

Applicant files the instant petition and requests correction of the assignee name from "The Health Protection Agency" to "Health Protection Agency".

Applicable Law, Rules and MPEP

37 CFR 3.81(b) provides:

After payment of the issue fee: Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in § 3.11 before issuance of the patent, and must include a request for a certificate of correction under § 1.323 of this chapter (accompanied by the fee set forth in § 1.20(a)) and the processing fee set forth in § 1.17 (i) of this chapter. (Emphasis supplied).

¹ See MPEP 1309, subsection II; and Official Gazette of June 22, 2004.

Analysis and conclusion

A review of the recorded assignment reveals that the name of the assignee appearing thereon is "The Health Protection Agency." The name of the assignee that appeared on the printed patent, The Health Protection Agency, was the name of the assignee on the assignment recorded with this Office. Applicant petitions to change the name of the assignee from that which appears on the recorded assignment, however, 37 CFR 3.81(b) provides for correction of the patent "to state the name of the assignee" as it appears on the recorded assignment.

The petition is dismissed as inappropriate.


Further correspondence with respect to this matter should be addressed as follows:

By mail: Director for Patents
PO Box 1450
Alexandria, VA 22313-1450

By FAX: (571) 273-8300
Attn: Office of Petitions

By hand: Customer Service Window
Randolph Building
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Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.


Derek L. Woods
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